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Attorneys for Plaintiff  
Rambus Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

## RAMBUS INC.,

Plaintiff,

V.

# INTERNATIONAL BUSINESS MACHINES CORPORATION.

Defendant.

CASE NO. C 10-03736 JSW  
(Related Case: C 10-04017 JSW)

**STIPULATION RE: CASE SCHEDULE;  
SUPPORTING DECLARATION OF TINA  
E. HULSE;**  
**[PROPOSED] ORDER**

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Rambus Inc. ("Rambus") and Defendant International Business Machines Corporation ("IBM"), through their respective counsel of record, respectfully request, and with the Court's permission, stipulate to a one-week extension of the deadline for filing the Joint Claim Construction and Prehearing Statement pursuant to Patent L.R. 4.3 so that the parties can discuss an alternative proposal for disposing of this matter and related case, *International Business Machines Corp. v. Rambus Inc.*, No. C 10-04017 JSW. By this extension, the parties do not request modifying the previously ordered briefing schedule for claim construction or the dates for the Court's technology tutorial or claim construction hearing. More specifically, with the Court's permission, the parties hereby stipulate that the current schedule set forth in the July 12, 2011, Stipulated Order [Dkt. 68] be modified as follows:

EVENT	CURRENT SCHEDULE	PROPOSED DATE
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3) – Includes Expert Testimony. Parties must attach copies of patents, make available file histories to Court for each involved patent	August 12, 2011	August 19, 2011
Completion of Claim Construction Discovery (Patent L.R. 4-4)	September 6, 2011	Same
Rambus Opening Claim Construction Brief (Patent L.R. 4-5(a)). 25 page limit	September 19, 2011	Same
IBM Responsive Claim Construction Brief (Patent L.R. 4-5(b)). 25 page limit	October 4, 2011	Same
Rambus - Reply Brief and any evidence directly rebutting the supporting evidence (Patent L.R. 4-5(c)). - 15 page limit	October 11, 2011	Same
Amended Joint Claim Construction Statement		

EVENT	CURRENT SCHEDULE	PROPOSED DATE
Tutorial for the Court	November 1, 2011	Same
Claim Construction ("Markman") Hearing (Patent L.R. 4-6).	November 15, 2011	Same

By her signature below, counsel for Plaintiff attests that counsel for Defendant concurs in the filing of this stipulation.

Respectfully submitted,

Date: August 10, 2011

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: /s/ Tina E. Hulse

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Attorneys for Plaintiff,  
Rambus Inc.

Dated: August 10, 2011

By: /s/ Edward A. Kmett

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Attorneys for Defendant,  
International Business Machines Corporation

## **SUPPORTING DECLARATION OF TINA E. HULSE**

I, TINA E. HULSE, declare as follows:

1. I am an associate at Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., counsel for Plaintiff Rambus Inc. (“Rambus”). I submit this declaration in support of the parties’ Stipulation Regarding Case Schedule. I make this declaration of my own personal knowledge and will competently testify thereto if called upon to do so.

2. On April 15, 2011, May 12, 2011, June 15, 2011, and July 12, 2011, the Court entered Stipulated Orders [Dkt. Nos. 60, 62, 66 and 68], which set forth the claim construction briefing schedule for this action. The June 15, 2011, Stipulated Order [Dkt. No. 66] also set the technology tutorial for November 1, 2011, at 1:30 p.m. and the *Markman* Hearing for November 15, 2011, at 1:30 p.m.

3. The parties previously requested extensions of time to discuss settlement of this case and related case, *International Business Machines Corp. v. Rambus Inc.*, No. C 10-04017 JSW. While negotiations had come to a standstill, the parties are currently discussing an alternative proposal to dispose of both this case and the related case. As such, the parties seek a continuance of one week for filing the Joint Claim Construction and Prehearing Statement to allow the parties to further discuss this option.

4. The Court previously granted the Stipulated Orders to permit settlement discussions. Otherwise, the only time modification in this case was to change the Case Management Conference from December 3, 2010, to January 14, 2011, to coincide with the hearing on Rambus's motion to dismiss in related case, *International Business Machines Corp. v. Rambus Inc.*, No. C 10-04017 JSW. See Dkt. No. 48.

5. The requested modification in the current case schedule will not affect any other pre-trial deadlines, such as the previously ordered briefing schedule for claim construction or the dates for the technology tutorial or claim construction hearing, as the pre-trial schedule has not yet been entered in this case.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct, and this declaration was executed this 10th day of August, 2011.  
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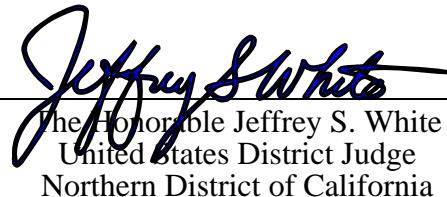
/s/ Tina E. Hulse  
Tina E. Hulse

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1 [PROPOSED] ORDER  
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4 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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7 Dated: August 11, 2011  
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The Honorable Jeffrey S. White  
United States District Judge  
Northern District of California